

9-2-3

PTO/SB/21 (03-03)

Approved for use through 04/30/2003. OMB 0651-0031

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# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number 09/827,891

Filing Date April 6, 2001

First Named Inventor Robert F. Terry

Art Unit 2155

Examiner Name Hosain T. Alam

Attorney Docket Number 10007.000120

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Technology Center 2100

Total Number of Pages in This Submission

7

## ENCLOSURES (Check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to a Technology Center (TC)
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	Copy of Fee Transmittal Form, Return Postcard
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/Incomplete Application	<b>Remarks</b>	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	Other Enclosures: Petition For Suspension of Action, Check# 1051 for \$130.00, Express Mail Label# EV323269655US	

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual Arnold M de Guzman  
De Guzman & Associates, PC

Signature

Date August 29, 2003

## CERTIFICATE OF TRANSMISSION/MAILING

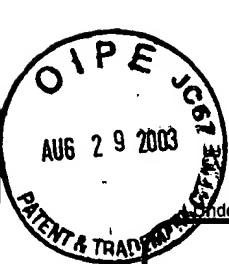
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: 08/29/2003

Typed or printed Arnold M. de Guzman Reg. No. 39,955

Signature Date August 29, 2003

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

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PTO/SB/17 (01-03)  
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# FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ ) 130.00

Complete if Known

Application Number 09/827,891  
Filing Date April 6, 2001  
First Named Inventor Robert F. Terry  
Examiner Name Hosain T. Alam  
Art Unit 2155  
Attorney Docket No. 10007.000120

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## METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☐ Deposit Account:  
Deposit Account Number  
Deposit Account Name

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Credit any overpayments  
☐ Charge any additional fee(s) during the pendency of this application  
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	750	2001	375	Utility filing fee	
1002	330	2002	165	Design filing fee	
1003	520	2003	260	Plant filing fee	
1004	750	2004	375	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)				(\$)	

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims  -20\*\* =  X  =   
Independent Claims  -3\*\* =  X  =   
Multiple Dependent  =

<u>Large Entity</u>		<u>Small Entity</u>		<u>Fee Description</u>
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	84	2201	42	Independent claims in excess of 3
1203	280	2203	140	Multiple dependent claim, if not paid
1204	84	2204	42	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath			
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet			
1053 130	2053 130	Non-English specification			
1812 2,520	1812 2,520	For filing a request for ex parte reexamination			
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action			
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action			
1251 110	2251 55	Extension for reply within first month			
1252 410	2252 205	Extension for reply within second month			
1253 930	2253 465	Extension for reply within third month			
1254 1,450	2254 725	Extension for reply within fourth month			
1255 1,970	2255 985	Extension for reply within fifth month			
1401 320	2401 160	Notice of Appeal			
1402 320	2402 160	Filing a brief in support of an appeal			
1403 280	2403 140	Request for oral hearing			
1451 1,510	1451 1,510	Petition to institute a public use proceeding			
1452 110	2452 55	Petition to revive - unavoidable			
1453 1,300	2453 650	Petition to revive - unintentional			
1501 1,300	2501 650	Utility issue fee (or reissue)			
1502 470	2502 235	Design issue fee			
1503 630	2503 315	Plant issue fee			
1460 130	1460 130	Petitions to the Commissioner			130.00
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)			
1806 180	1806 180	Submission of Information Disclosure Stmt			
8021 40	8021 40	Recording each patent assignment per property (times number of properties)			
1809 750	2809 375	Filing a submission after final rejection (37 CFR 1.129(a))			
1810 750	2810 375	For each additional invention to be examined (37 CFR 1.129(b))			
1801 750	2801 375	Request for Continued Examination (RCE)			
1802 900	1802 900	Request for expedited examination of a design application			

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ ) 130.00

## SUBMITTED BY

Name (Print/Type) Arnold M. de Guzman

Registration No. (Attorney/Agent)

39, 955

(Complete if applicable)

Telephone 805-681-5078

Signature

Date

August 29, 2003

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

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EV323269655US

10007.000120



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of Robert F. Terry	Confirmation No.: 5567
Serial No. 09/827,891	Examiner: Alam, Hosain T.
Filing Date: April 6, 2001	Art Unit: 2155
Title: SYSTEM AND METHOD FOR REAL TIME MONITORING AND CONTROL OF NETWORKED COMPUTERS	Atty. Docket No.: 10007.000120

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SEP 04 2003

Mail Stop Petition  
Honorable Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Technology Center 2100

PETITION FOR SUSPENSION OF ACTION

UNDER 37 C.F.R. 1.103(a)

Sir:

This is a petition for suspension of action under 37 C.F.R. 1.103(a), for the above-referenced patent application.

The petition fee for \$130.00, as set forth in 37 C.F.R. 1.17(h), is provided in the enclosed check #1051.

The requested length of suspension of action, under this petition, is six (6) months.

09/05/03 REMINDER 1000000000 09027301

09/05/03

130.00 EF

Suspension of action is necessary based upon a showing of good and sufficient cause for suspension of action.

Specifically, the inventor has not communicated with the undersigned attorney. The undersigned attorney has attempted to contact the inventor, and the undersigned attorney has not successfully been able to communicate with the inventor. The inventor's cooperation is necessary and essential for claim amendments that will be made for this application and for further successful prosecution of this patent application. The inventor has not cooperated with the undersigned attorney on matters concerning this patent application. The undersigned attorney requests for suspension of action of this patent application, in order to obtain additional time to locate the inventor and to obtain the cooperation of the inventor for claim amendments for this patent application for further successful prosecution of this patent application.

Additionally, the inventor has not indicated an intention to continue the prosecution of this patent application. The undersigned attorney requests for suspension of action of this patent application, in order to obtain additional time to locate and communicate with the inventor, so that the undersigned attorney can determine if the inventor wishes to continue prosecution of this patent application or if the inventor wishes to abandon this patent application.

Additionally, the inventor owes the undersigned attorney the amount of \$31,529.19 in unpaid legal fees. This unpaid amount of \$31,529.19 by the inventor has caused unfair hardship and undue hardship to the undersigned attorney. The inventor has paid the undersigned attorney for all unpaid legal fees. The undersigned attorney does not have funds to loan to the inventor for payment of fees

that will be due in the U.S. Patent & Trademark Office for this patent application. Additionally, the undersigned attorney is not able to prosecute this application in the USPTO without payment of legal fees, and will incur additional unfair hardship and undue hardship if prosecution of this application in the USPTO is continued by the undersigned attorney without payment of legal fees from the inventor. The undersigned attorney requests for suspension of action of this patent application, in order to obtain payment of unpaid legal fees from the inventor, and in order to pay fees that will be due in the USPTO for this application.

Approval of this petition is respectfully requested.

CONTACT INFORMATION

If the Examiner or Commissioner has any questions or needs any additional information, the Examiner or Commissioner is invited to telephone the undersigned attorney at (805)681-5078.

Date: August 29, 2003

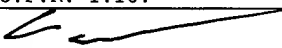
Respectfully submitted,

Robert F. Terry



By: Arnold M. de Guzman  
Attorney for Applicant  
Reg. No. 39,955  
805.681.5078  
805.681.5076 (fax)

Please send correspondence to:  
**Arnold M. de Guzman**  
**deGuzman & Associates, PC**  
**5276 Hollister Avenue, Suite 160**  
**Santa Barbara, CA 93111**

CERTIFICATE OF MAILING			
I hereby certify that this correspondence, including the enclosures identified herein, is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on the date shown below. If the Express Mail Mailing Number is filled in below, then this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service pursuant to 37 C.F.R. 1.10.			
Signature:			
Typed or Printed Name:	Arnold M. de Guzman, Reg. No. 39,955	Dated:	Aug. 29, 2003
Express Mail Mailing Number (optional):	EV 323269655 US		